

Re Box No. V

**IAP5 Rec'd PCT/PTO 30 MAR 2006**

1. Reference is made to the following documents:

D1: EP1076279

2. The present application does not fulfill the requirements of Article 33(2) PCT as the subject matter of claims 1 and 10 is not novel.

2.1 Document D1 discloses:

Claim 1	Document D1
Method for granting access to a computer-based object, wherein	"controlling the installation and/or use of data on computer platforms" (Paragraph 1)
a memory card comprising a program code processor is provided, at least one public and private key that is allocated to the memory card as well as a public key of a trustworthy entity being stored on said memory card	"the platform may include a ... trusted module (smart card)" (Paragraph 26) "the unlock key ... is encrypted by C (=third party) using the trusted module's public key" (Paragraph 69) "a trusted module ... stores a third party's public key" (Paragraph 8)
a piece of license information comprising at least one license code which is encoded by means of the public key allocated to the memory card is provided on an arithmetic unit that controls access to the computer-based object	"the unlock key is used to allow the protected data to be decrypted and run ... using a public key infrastructure to encrypt a message containing an unlock key, and checking for integrity via hashing and digital signatures ..." (Paragraph 12, 37, 43, 46, 56, 65-69)
the encoded license code and a declaration, digitally signed by means of the private key of the trustworthy entity, of a function for decoding the license code to be executed by the memory card, are transmitted to the memory card	"Both the data and the software executor are hashed and signed with the clearinghouse/developer's private key" (Paragraph 27)
the digital signature of the declaration of the function to be executed by the memory card is checked	"The secure loader integrity checks the software executor when it is received" (Paragraph 27)
if the result of the check is positive, the function for decoding the license code is executed by the memory card and a decoded license code is transmitted to the arithmetic unit the decoded license code is provided at least temporarily for accessing the computer-based object	"Optionally, applications may be run within a smart card." (Paragraph 157) "When the user wishes to run the data, the secure executor decrypts the data using the unlock key and allows the data to run." (Paragraph 160)

3. The independent program claim 10 essentially corresponds to the method claim 1. The objections to claim 1 therefore also apply analogously to the independent claim 10.
4. The dependent claims 2 to 9 likewise fail to meet the requirements of Article 33 PCT as they are not novel or inventive compared with D1.

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